

1. SECTION 1. That the area described as follows is hereby designated a P.O.D. (Professional Office Development) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

PARCEL "A"

Part of the Southwest Quarter of Section 12, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows: Commencing at the Southwest corner of said Quarter Section; thence North 00 degrees 14 minutes West (bearing from deed recorded as Document Number 72-12609) along the West line of said Section 12, 235 feet to a point; thence South 89 degrees 35 minutes East parallel to the South line of Section 12, 48.1 feet to the point of beginning; thence continuing South 89 degrees 35 minutes East, 256.9 feet to a pin found; thence South 00 degrees 14 minutes East parallel to the West line of said Section 12, 195 feet to a pin found, being on the North right-of-way line of Cook Road; thence North 89 degrees 35 minutes West parallel to the South line of said Section 12 and on or along the North right-of-way line of Cook Road, 224.55 feet to a pin found; thence North 34 degrees 48 minutes 25 seconds West, 57 feet to a pin found thence North 00 degrees 14 minutes West parallel to the West line of said Section 12 on or along the East right-of-way line of State Road 327, 148.43 feet to the point of beginning, containing 1.13 aces, more or less.

Subject to real estate taxes due and payable in May of 1986 and all subsequent taxes. Subject, also, to all mortgages, liens, encumbrances, easements, assessments, restrictions of record, public highways and rights-of-way, and all zoning laws and building ordinances.

PARCEL "B"

Part of the Southwest Quarter of Section 12, Township 31 North, Range 12 East, Allen County, Indiana, in particular described as follows, to-wit:

Commencing on the South line of said Quarter Section at a point situated 305 feet East of the Southwest corner thereof; thence running East on the line aforesaid, a distance of 100 feet, thence North and parallel to the West line of said Quarter Section, a distance of 235 feet; thence West and parallel to the South line of said Quarter Section, a distance of 100 feet; thence South to the place of beginning; containing 0.54 acres of land.



1           EXCEPT:

2           A part of the Southwest Quarter of Section 12, Township  
3           31 North, Range 12 East, Allen County, Indiana, described  
4           as follows:

5           Beginning South 89 degrees 35 minutes 00 seconds East  
6           305.00 feet along the South line of said Quarter Section  
7           to the Southwest corner of the owner's land from the  
8           Southwest corner of said Quarter Section; thence North  
9           0 degrees 14 minutes 00 seconds West, 40.00 feet along  
10          the West line of the owner's land; thence South 89  
11          degrees 35 minutes 00 seconds East 100.0 feet to the  
12          East line of the owner's land; thence South 0 degree  
13          14 minutes 00 seconds East 40.00 feet along said East  
14          line to the South line of said Quarter Section; thence  
15          North 89 degrees 35 minutes 00 seconds West along  
16          said South line to the point of beginning, containing  
17          4,000 sq. ft. more or less.

18          SUBJECT TO restrictions, conditions, limitations,  
19          zoning ordinances, easements, visible or of record,  
20          roadways, rights-of-way and highways of record.

21          SUBJECT TO taxes due and payable in November, 1985,  
22          and all subsequent taxes and assessments after the  
23          date hereof.

24                           PARCEL "C"

25          Part of the Southwest Quarter of Section 12, Township  
26          31 North, Range 12 East, in Allen County, Indiana,  
27          in particular described as follows, to-wit:

28          Commencing on the South line of said Quarter Section  
29          at a point situated 405 feet East of the Southwest  
30          corner thereof; thence running East on the line aforesaid  
31          a distance of 100 feet; thence North and parallel  
32          to the West line of said Quarter Section a distance  
33          235 feet; thence West and parallel to the South line  
34          of said Quarter Section a distance of 100 feet; thence  
35          South to the place of beginning, containing 0.54 acres  
36          of land,  
37          EXCEPT the South 40 feet thereof heretofore conveyed  
38          to the County of Allen, State of Indiana, by deed  
39          dated June 2, 1972, recorded June 15, 1972, as Document  
40          Number 72-12610.

41          Subject to real estate taxes due and payable in November  
42          of 1985 and all subsequent taxes. Subject, also,  
43          to all mortgages, liens, encumbrances, easements,  
44          assessments, restrictions of record, public highways  
45          and rights-of-way, and all zoning laws and building  
46          ordinances.

47                           PARCEL "D"

48          Part of the South West quarter of Section 12, Township  
49          31 North, Range 12 East, in particular described as  
50          follows, to-wit:

51          Commencing on the South line of said Quarter Section  
52          at a point 505 feet East of the South West corner



1 thereof, thence continuing East on the South line  
2 of said Quarter Section 100 feet; thence North and  
3 parallel to the West line of said Quarter Section  
4 a distance of 235 feet; thence West parallel to the  
5 South line of said Quarter Section 100 feet;; thence  
6 South to the place of beginning, in Allen County,  
7 Indiana, excepting therefrom the South 40.0 feet thereof  
8 as sold off by Document No. 75-23714 as recorded in  
9 the Office of the Recorder of Allen County, Indiana.  
10 Subject to all legal roads and highways.

11  
12 SUBJECT to the real estate taxes for the year of 1983,  
13 due and payable in November of 1984, and to all subsequent  
14 real estate taxes assessed thereafter, which the Grantee  
15 assumes and agrees to pay.

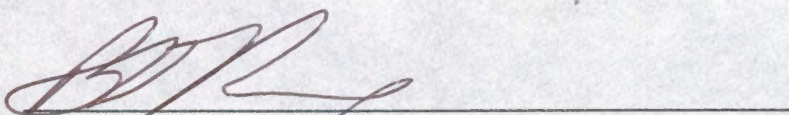
16 SUBJECT to all assessments, encumbrances, restrictions,  
17 and easements of record, and to all visible easements  
18 not of record.

19 and the symbols of the City of Fort Wayne Zoning Map No. N-46,  
20 as established by Section 11 of Chapter 33 of the Code  
21 of the City of Fort Wayne, Indiana, hereby changed accordingly.

22  
23 

24 COUNCILMEMBER

25 APPROVED AS TO FORM AND LEGALITY:

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28 BRUCE O. BOXBERGER, CITY ATTORNEY

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Read the first time in full and on motion by Redd  
seconded by Talarico, and duly adopted, read the second time  
by title and referred to the Committee Regulations (and the Ci  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Way  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ .M., E

DATE: 8-24-85 Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Redd  
seconded by Stier, and duly adopted, placed on its  
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 10-22-85 Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort  
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING MAP) Ordinance ORDINANCE (RESOLUTION) NO. 3-12-85  
on the 22nd day of October, 1985,

ATTEST: (SEAL)  
Sandra E. Kennedy Mark E. GiaQuinta  
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,  
on the 22nd day of October, 1985  
at the hour of 11:30 o'clock P.M., E.S.T.  
Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 25th day of October  
1985, at the hour of 3:30 o'clock P.M., E.S.T.  
Win Moses, Jr.  
WIN MOSES, JR., MAYOR

## RECEIPT

Check  
# 1057

No 12082

COMMUNITY DEVELOPMENT &amp; PLANNING

FT. WAYNE, IND.,

8/15 19 85

RECEIVED FROM

Cook Rd. Realty

\$ 50.00

THE SUM OF

Fifty &amp; 00/100

DOLLARS

ON ACCOUNT OF

Bezone - 609 E. Cook Rd.

B. Steels

AUTHORIZED SIGNATURE



PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. \_\_\_\_\_

DATE FILED \_\_\_\_\_

INTENDED USE \_\_\_\_\_

THIS IS TO BE FILED IN DUPLICATE

/We Cook Road Realty  
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne  
Indiana, by reclassifying from a/an R-3 District to a/an P.O.D.  
District the property described as follows:

See Attached Legal Description for Parcels A, B, C, D

Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

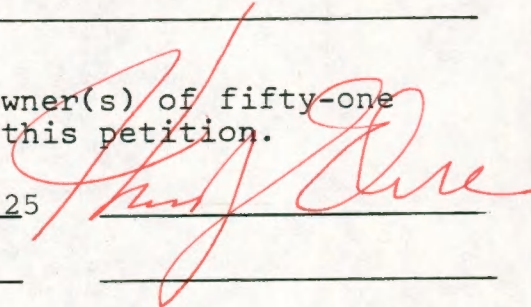
609 E. Cook Road Ft Wayne, In 46825

General Description for Planning Staff Use Only)

/We, the undersigned, certify that I am/We are the owner(s) of fifty-one  
percentum (51%) or more of the property described in this petition.

Thomas J. Eckrich

609 E. Cook Rd, FW 46825



(Name)

(Address)

(Signature)

If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_  
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the  
ordinance be taken under advisement shall be filed in writing and be submitted  
to the City Plan Commission prior to the legal notice pertaining to the ordinance  
being sent to the newspaper for legal publication. If the request for deferral,  
continuance or request that ordinances be taken under advisement is received  
prior to the publication of the legal ad being published the head of the Plan  
Commission staff shall not put the matter on the agenda for the meeting at which  
it was to be considered. The Plan Commission staff will not accept request  
from petitioners for deferrals, continuances, withdrawals, or requests that an  
ordinance be taken under advisement, after the legal notice of said ordinance  
is forwarded to the newspaper for legal publication but shall schedule the matter  
for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

G. E. Rocke

5759 St. Joe Rd. FW 46815

485-8482

(Name)

(Address & Zip Code)

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning  
and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street,  
Fort Wayne, IN 46802 (PHONE: 219/ 427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing  
approximately ten (10) days prior to the meeting.



Corner Lot - East of Cook Road

THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND MAY ONLY BE DONE BY A LAWYER.

MAIL TAX BILLS TO: P. O. Box 5103; Fort Wayne, IN. 46895

CORPORATE DEED  
PARCEL "A"

THIS INDENTURE WITNESSETH, That SUMMIT BANK, an Indiana Corporation,  
successor by merger to Indiana Bank and Trust Company of Fort Wayne  
("Grantor"), a corporation organized and

existing under the laws of the State of Indiana, CONVEYS  
AND WARRANTS — ~~RELEASES AND QUIETS CLAIMS (XXXXXX)~~ to COOK ROAD REALTY, an  
Indiana General Partnership of Allen County, in the State of  
Indiana, in consideration of Ten Dollars (\$10.00) and other  
valuable consideration, the receipt of which is hereby acknowledged, the

following described real estate in Allen County, in the State of Indiana, to-wit:  
part of the Southwest Quarter of Section 12, Township 31 North, Range 12 East,  
Allen County, Indiana, more particularly described as follows: Commencing at  
the Southwest corner of said Quarter Section; thence North 00° 14' West (bearing  
from deed recorded as Document Number 72-12609) along the West line of said  
Section 12, 235 feet to a point; thence South 89° 35' East parallel to the South  
line of Section 12, 48.1 feet to the point of beginning; thence continuing South  
89° 35' East, 256.9 feet to a pin found; thence South 00° 14' East parallel to  
the West line of said Section 12, 195 feet to a pin found, being on the North  
right-of-way line of Cook Road; thence North 89° 35' West parallel to the South  
line of said Section 12 and on or along the North right-of-way line of Cook Road,  
24.55 feet to a pin found; thence North 34° 48' 25" West, 57 feet to a pin found  
thence North 00° 14' West parallel to the West line of said Section 12 on or along  
the East right-of-way line of State Road 327, 148.43 feet to the point of begin-  
ing, containing 1.13 acres, more or less.

Subject to real estate taxes due and payable in May of 1986 and all  
subsequent taxes. Subject, also, to all mortgages, liens, encumbrances,  
easements, assessments, restrictions of record, public highways and  
rights-of-way, and all zoning laws and building ordinances.

Grantor hereby certifies under oath that no Indiana Gross Income Tax  
is due and payable by reason of this transfer.

The undersigned person(s) executing this deed represent(s) and certify (certifies) on behalf of the Grantor,  
that (each of) the undersigned is a duly elected officer of the Grantor and has been fully empowered by proper  
resolution, or the by-laws of the Grantor, to execute and deliver this deed; that the Grantor is a corporation in  
good standing in the State of its origin and, where required, in the State where the subject real estate is situate;  
that the Grantor has full corporate capacity to convey the real estate described; and that all necessary corporate  
action for the making of this conveyance has been duly taken.

IN WITNESS WHEREOF, Grantor has caused this deed to be executed this 3rd

day of July, 19 85.

By Robert C. Nern  
Robert C. Nern, Vice President/  
Cashier  
(Printed Name and Office)

SUMMIT BANK  
(Name of Corporation)  
By James E. Felts  
James E. Felts, Vice President  
(Printed Name and Office)

STATE OF INDIANA }  
COUNTY OF ALLEN } SS:

Before me, a Notary Public in and for said County and State, personally appeared Robert C. Nern  
Vice President/Cashier and James E. Felts the Vice President

~~and~~ ~~XXXXXX~~ of Summit Bank  
who acknowledged execution of the foregoing Deed for and on behalf of said Grantor, and who, having been duly  
sworn, stated that the representations therein contained are true.

Witness my hand and Notarial Seal this 3rd day of July, 19 85  
My Commission Expires: 8/22/85 Signature [Signature]  
Resident of Allen County Printed Vanna K. Osborn, Notary Public

This instrument prepared by OTTO M. BONAHOOM, 2100 Fort Wayne Bank Attorney at Law.  
Mail to: Bonahoom Box Fort Wayne, IN. 46802



435-E Cook Rd - Middle House

THIS FORM HAS BEEN APPROVED BY THE INDIANA STATE BAR ASSOCIATION FOR USE BY LAWYERS ONLY. THE SELECTION OF A FORM OF INSTRUMENT, FILLING IN BLANK SPACES, STRIKING OUT PROVISIONS AND INSERTION OF SPECIAL CLAUSES, CONSTITUTES THE PRACTICE OF LAW AND MAY ONLY BE DONE BY A LAWYER.

Mail tax bills to: **COPY**  
435 E. Cook Road  
Fort Wayne, IN 46825

# WARRANTY DEED

PARCEL "B"

85-16069

This indenture witnesseth that JOHN C. SEYFERT, an individual over the age of eighteen (18) years,

of Allen County in the State of Indiana

Convey and warrant to COOK ROAD REALTY, an Indiana General Partnership,

of Allen County in the State of Indiana

for and in consideration of One Dollar and Other Good and Valuable Consideration the receipt whereof is hereby acknowledged, the following Real Estate in Allen County in the State of Indiana, to wit:

See, Exhibit "A" attached hereto and made a part hereof.

1985 JUN 24 AM 9 23  
ALLEN COUNTY CLERK  
Notary Public  
Department of Revenue

State of Indiana, Allen County, ss:  
Before me, the undersigned, a Notary Public in and for said County and State, this 20th day of JUNE 1985  
personally appeared: John C. Seyfert, an individual over the age of eighteen (18) years,

Dated this 20th Day of JUNE 1985

John C. Seyfert Seal  
John C. Seyfert

DULY ENTERED FOR TAXATION Seal

JUN 24 1985

Gloria J. Hoeglein Seal  
AUDITOR OF ALLEN COUNTY

And acknowledged the execution of the foregoing deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal. My commission expires August 2 1987

Beth Ann Miller  
Beth Ann Miller Notary Public

Resident of Allen County.

INSTRUMENT T 3630

This instrument prepared by Thomas M. Gallmeyer Attorney at Law



EXHIBIT "A"

part of the Southwest Quarter of Section 12, Township 31 North, Range 12 East, Allen County, Indiana, in particular described as follows, to-wit:

Commencing on the South line of said Quarter Section at a point situated 305 feet East of the Southwest corner thereof; thence running East on the line aforesaid, a distance of 100 feet, thence North and parallel to the West line of said Quarter Section, a distance of 235 feet; thence West and parallel to the South line of said Quarter Section, a distance of 100 feet; thence South to the place of beginning; containing 0.54 acres of land.

EXCEPT:

A part of the Southwest Quarter of Section 12, Township 31 North, Range 12 East, Allen County, Indiana, described as follows:

Beginning South 89 degrees 35 minutes 00 seconds East 305.00 feet along the South line of said Quarter Section to the Southwest corner of the owner's land from the Southwest corner of said Quarter Section; thence North 0 degrees 14 minutes 00 seconds West, 40.00 feet along the West line of the owner's land; thence South 89 degrees 35 minutes 00 seconds East 100.0 feet to the East line of the owner's land; thence South 0 degrees 14 minutes 00 seconds East 40.00 feet along said East line to the South line of said Quarter Section; thence North 89 degrees 35 minutes 00 seconds West along said South line to the point of beginning, containing 4000 square feet, more or less.

SUBJECT TO restrictions, conditions, limitations, zoning ordinances, easements, visible or of record, roadways, rights-of-way and highways of record.

SUBJECT TO taxes due and payable in November, 1985, and all subsequent taxes and assessments after the date hereof.



P. O. Box 5103; Fort Wayne, IN. 46895

Mail tax bills to:

# WARRANTY DEED

PARCEL "C"

*Wayne Calhoun*  
This indenture witnesseth that

WAYNE CALHOUN and KIM D. CALHOUN,  
husband and wife, each over eighteen  
(18) years of age

of Allen County in the State of Indiana

Convey and warrant to COOK ROAD REALTY,  
an Indiana General Partnership

of Allen County in the State of Indiana  
for and in consideration of Ten Dollars (\$10.00) and other valuable consideration,  
the receipt whereof is hereby acknowledged, the following Real Estate in Allen County  
in the State of Indiana, to wit:

Part of the Southwest Quarter of Section 12, Township 31 North,  
Range 12 East, in Allen County, Indiana, in particular described  
as follows, to-wit:  
Commencing on the South line of said Quarter Section at a point  
situated 405 feet East of the Southwest corner thereof; thence  
running East on the line aforesaid a distance of 100 feet; thence  
North and parallel to the West line of said Quarter Section a  
distance of 235 feet; thence West and parallel to the South line  
of said Quarter Section a distance of 100 feet; thence South to  
the place of beginning, containing 0.54 acre of land,  
EXCEPT the South 40 feet thereof heretofore conveyed to the County  
of Allen, State of Indiana, by deed dated June 2, 1972, recorded  
June 15, 1972, as Document Number 72-12610.

Subject to real estate taxes due and payable in November of 1985  
and all subsequent taxes. Subject, also, to all mortgages, liens,  
encumbrances, easements, assessments, restrictions of record,  
public highways and rights-of-way, and all zoning laws and building  
ordinances.

Subject to a mortgage given by Wayne Calhoun and Kim D. Calhoun to  
Indiana Bank and Trust Company of Fort Wayne dated March 3, 1983,  
securing the principal sum of \$25,000.00, recorded March 9, 1983,  
as Document Number 83-04522 in the Allen County Recorder's Office.

State of Indiana, Allen County, ss:

Before me, the undersigned, a Notary Public in and for said County  
and State, this 18th day of June 19 85  
personally appeared:

Wayne Calhoun and Kim D. Calhoun,  
husband and wife, each over eighteen  
(18) years of age

Dated this 18th Day of June 19 85

*Wayne Calhoun* Seal  
WAYNE CALHOUN

*Kim D. Calhoun* Seal  
KIM D. CALHOUN

Seal

Seal

Seal

Seal

Seal

Seal

Seal

And acknowledged the execution of the foregoing deed. In witness  
whereof, I have hereunto subscribed my name and affixed my of-  
ficial seal. My commission expires August 22 19 85

*Vanna K. Osborn*  
Vanna K. Osborn, Notary Public

Resident of Allen County.

Otto M. Bonahoom, 2100 Fort Wayne Bank Building  
Fort Wayne, Indiana 46802

This instrument prepared by Otto M. Bonahoom Attorney at Law

OTTO M. BONAHOOM



Mail tax bills to:

1315 Directors Row  
Ft. Wayne, IN 46808

# WARRANTY DEED

PARCEL "D"

This Indenture witnesseth that V. R. MYERS PUMP & SUPPLY, INC.,  
an Indiana Corporation

of Allen County in the State of Indiana

Convey and warrant to COOK ROAD REALTY, an Indiana General Partnership

of Allen County in the State of Indiana  
for and in consideration of One Dollar (\$1.00) and other valuable consideration  
the receipt whereof is hereby acknowledged, the following Real Estate in Allen County  
in the State of Indiana, to wit:

Part of the South West quarter of Section 12, Township 31 North,  
Range 12 East in particular described as follows, to-wit:

Commencing on the South line of said quarter section at a point  
505 feet East of the South West corner thereof, thence continuing  
East on the South line of said Quarter section 100 feet; thence  
North parallel to the West line of said Quarter section a distance  
of 235 feet, thence West parallel to the South line of said  
quarter section 100 feet, thence South to the place of beginning,  
in Allen County, Indiana, excepting therefrom the South 40.0  
feet thereof as sold off by Document No. 75-23714 as recorded in  
the Office of the Recorder of Allen County, Indiana.  
Subject to all legal roads and highways.

SUBJECT to the real estate taxes for the year 1983, due and payable  
in November of 1984, and to all subsequent real estate taxes  
assessed thereafter, which the Grantee assumes and agrees to pay.

SUBJECT to all assessments, encumbrances, restrictions, and  
easements of record, and to all visible easements not of record.

State of Indiana, Allen County, ss:  
Before me, the undersigned, a Notary Public in and for said County  
and State, this 17th day of August 1984  
personally appeared:

William J. Myers, Secretary of  
V. R. Myers Pump & Supply, Inc.

Dated this 17th Day of August 1984  
V. R. MYERS PUMP & SUPPLY, INC.

BY: William J. Myers Seal  
William J. Myers, Secretary

Seal

Seal

Seal

Seal

Seal

And acknowledged the execution of the foregoing deed. In witness  
whereof, I have hereunto subscribed my name and affixed my of-  
ficial seal. My commission expires 5-1-1987

Susan M. Pennell  
Susan M. Pennell Notary Public

Resident of Allen County.

This Instrument prepared by OTTO M. BONAHOOM Attorney at Law



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 24, 1985 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-09-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 16, 1985;

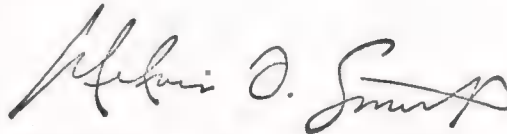
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 24, 1985.

Certified and signed this  
24th day of September 1985.



---

Melvin O. Smith  
Secretary



# Division of Community Development & Planning

## FACT SHEET

Z-85-09-15

BILL NUM.

### BRIEF TITLE

Zoning Ordinance Amendment

### APPROVAL DEADLINE

### REASON

### DETAILS

#### Specific Location and/or Address

609 E. Cook Road

#### Reason for Project

Planned Office Development

#### Discussion (Including relationship to other Council actions)

16 September 1985 - Public Hearing

Gerry Roche, consulting engineer representing Cook Road Realty stated that the property is approximately 2½ acres in size. He stated it is surrounding on two sides by a POD, the developer has already constructed on the present POD one building housing the corporate offices of Northhill Development Corporation. He stated that the proposal is to incorporate this property into the present POD. He stated that they want a more unified development plan for the area and hope to do so by obtaining a POD classification on this property. He stated this development would conform to the POD requirements, heavily landscaped along the road frontages with one access off of Cook Road with the parking area located behind the structures. He stated that they felt a POD designation would have a lesser impact on the perimeter of the area than the present R-3 (Multi-Family) zoning.

Mr. Embury questioned what their feelings were with regard to the limiting of the access from Cook Road to one access.

### POSITIONS

### RECOMMENDATIONS

#### Sponsor

City Plan Commission

#### Area Affected

City Wide

Other Areas

#### Applicants/ Proponents

#### Applicant(s)

Cook Road Realty  
City Department

Other

#### Opponents

#### Groups or Individuals

Basis of Opposition

#### Staff Recommendation

☒ For ☐ Against

Reason Against

#### Board or Commission Recommendation

By

☐ For ☐ Against  
☐ No Action Taken

☐ For with revisions to conditions  
(See Details column for conditions)

#### CITY COUNCIL ACTIONS (For Council use only)

☐ Pass ☐ Other

☐ Pass (as amended) ☐ Hold

☐ Council Sub. ☐ Do not pass



# DETAILS

Mr. Rocke stated that they are still working with engineering on that item. He stated he felt it was a misunderstanding initially, about whether they were going to incorporate the Northhill parking lot with the proposed parking lot. He stated that they have stayed that they have stayed back from the intersection of Cook and Coldwater a good distance with the proposed cut.

Mr. Embury asked if the developers would be willing to discuss sanitary sewers for the area.

Mr. Rocke stated that they would.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

September 23, 1985 - Business Meeting

Motion to approve was made and carried.

Of the 7 members present 6 voted in favor of approval one (1) did not vote.

## POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date August 15, 1985

Projected Completion or Occupancy

Date September 24, 1985

Fact Sheet Prepared by

Patricia Biancaniello

Date September 24, 1985

Reviewed by

*Luigi Baccin*

Date

9/25/85

Reference or Case Number



ORIGINAL

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-85-09-15DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&PSYNOPSIS OF ORDINANCE 609 E. Cook Road #1EFFECT OF PASSAGE Property is zoned R-3 - Multi-Family Residential.Property will become P.O.D. - Professional Office District.EFFECT OF NON-PASSAGE Property will remain R-3 - Multi-FamilyResidential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_


(ASSIGN TO COMMITTEE (J.N.) \_\_\_\_\_)



Bill No. Z-85-09-15

**Land Use:**

**NORTH**



*L.W.*



BILL NO. Z-85-09-15

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending Zoning Map R-3 -  
Property will become P.O.D.

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)  
(~~RESOLUTION~~)

YES

NO

Charles B. Redd

CHARLES B. REDD  
CHAIRMAN

Janet G. Bradbury

JANET G. BRADBURY  
VICE CHAIRWOMAN

James S. Stier

JAMES S. STIER

Ben A. Eisbart

BEN A. EISBART

Donald J. Schmidt

DONALD J. SCHMIDT

CONCURRED IN 10-8-85

SANDRA E. KENNEDY  
CITY CLERK